

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

Petition for Rulemaking to amend the)	
Commission's Rules to extend its network)	
and non-network territorial exclusivity,)	
syndicated exclusivity, and network)	MM Docket No. _____
non-duplication protection rules to)	RM-10335
low-power, class A, and noncommercial)	
broadcast stations)	

**COMMENTS OF
THE ASSOCIATION OF LOCAL TELEVISION STATIONS, INC.**

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December 18, 2001

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COMMENTS OF
THE ASSOCIATION OF LOCAL TELEVISION STATIONS, INC.

The Association of Local Television Stations, Inc. ("ALTV"), hereby submits its comments in support of the above-captioned petition for rule making. ALTV is a non-profit, incorporated association of local television stations that are not affiliated with the ABC, CBS, or NBC television networks.

ALTV supports the efforts of Venture Technologies Group, LLC ("VTG") to have the Commission commence a rule making to revise its program exclusivity rules, including the network and non-network syndicated exclusivity rules¹ to include low-power and class A television stations within the protections of the rules. In light of the competitive changes affecting the rules since they were last reviewed, ALTV believes

¹47 C.F.R. 76.151-161 & 47 C.F.R. 76.92-97.

that it is appropriate for the FCC to reexamine the exclusivity rules. The program exclusivity rules have not been examined since 1988 despite the emergence of new networks, including Fox, WB and UPN and PaxNet.

The emergence of new networks justifies a reexamination of the criteria for those entities eligible for entitlement to the protections afforded through the exclusivity rules. ALTV believes that in markets where no full power/full service television station exists, a low power or class A station may be the only broadcast alternative for the emerging networks to assure free over-the-air service in that community. Failure to receive cable carriage in these communities would be detrimental to continued survival of the station and could possibly harm the efforts of the network. In this regard, these networks need local television coverage in each market to provide a nationwide service to compete with other content providers. Permitting networks and program providers to negotiate with low power and class A television stations and to have those arrangements recognized and protected by the FCC's exclusivity rules in these circumstances would further the Commission's public interest goals with regard to the free over-the-air television service. Once those stations have reached agreements consistent with the exclusivity rules their rights should be protected by the Commission. Cable operators should not be permitted to import a distant signal into the market with the citizens of the community being deprived of the local service.

For the foregoing reasons, ALTV urges the Commission to expeditiously

commence a rule making proceeding to examine revision its exclusivity rules and to apply them to all television broadcast stations.

Respectfully submitted:

Association of Local Television Stations, Inc.

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